

F I L E D

JAN 24, 2023

**Robert A. Ballard, Jr., P.J. Cv.
CHAMBERS**

Joseph T. Delgado, Esq.
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Attorneys for Plaintiffs
Our File No: 288068

THE ESTATE OF M [REDACTED] O [REDACTED]
DECEDENT, BY ITS ADMINISTRATRIX,
DOMITILA ROSALES, D [REDACTED] O [REDACTED]
A MINOR, BY HIS GUARDIAN AD LITEM,
DOMITILA ROSALES, DOMITILA
ROSALES, INDIVIDUALLY, AND
LORENZO T. ORTEGA,

Plaintiffs,

vs.

BOROUGH OF RARITAN, RARITAN
POLICE DEPARTMENT, POLICE OFFICER
HOLT individually and in his representative
capacity, A.B.C. COMPANIES (1-100)
(FICTITIOUS ENTITIES) AND JOHN DOES
(1-100) (FICTITIOUS NAMES)

and

BOROUGH OF RARITAN and OFFICER
EVERETT HOLT,

v.

RONALD B. REBERNIK

Third Party Defendant

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: SOMERSET
DOCKET NO: SOM-L-775-20

CIVIL ACTION

**JUDGMENT APPROVING MINOR'S
SETTLEMENT AND DIRECTING THE
DEPOSIT OF FUNDS**

This matter having come before the Court in accordance with *R.4:44-3* on Tuesday, January 3, 2023, and Joseph T. Delgado, Esq., attorney for the plaintiff, and Timothy Beck, Esq. attorney for the defendants appearing, and the attorneys for the parties having reported to the court that they have arrived at a settlement of the minor plaintiff's claim between the plaintiff and the defendant(s), and the Court

having reviewed the physician reports and taken proofs on the record concerning the minor's injuries, disabilities and medical expenses and being satisfied that the settlement amount is fair and reasonable and in the minor's best interest.

24th
IT IS on this ~~3rd~~ day of January 2023,

ORDERED *and* ADJUDGED that:

1. Judgment is entered on behalf of D [REDACTED] O [REDACTED] a minor by his Guardians *ad litem*, LORENZO T. ORTEGA and DOMITILA ROSALES, in the gross amount of \$100,000.00 against defendants, Borough of Raritan, Raritan Police Department and Officer Holt without costs and/or interest.

2. The following deductions shall be made from the gross settlement and paid by the defendants in separate drafts as follows:

a. \$25,000.00 to be paid to the plaintiff's attorneys representing an attorney's fee of \$25,000.00;

3. Pursuant to R. 4:81, LORENZO T. ORTEGA and DOMITILA ROSALES have previously applied to the Surrogate of Somerset County and have already received Letters of Guardianship of the minor, D [REDACTED] O [REDACTED].

4. Pursuant to R. 4:48A, the net recovery of \$75,000.00, payable for the benefit of the minor plaintiff, shall be paid by or on behalf of the defendants by check payable to the "Surrogate of Somerset County Intermingled Trust Fund F/B/O of D [REDACTED] O [REDACTED] a minor," within ____ days of this Judgment. It is and shall be the responsibility of the attorney for the plaintiff to see that this deposit is completed.

5. Upon payment of the minor's net recovery into the Surrogates' Intermingled Trust Fund, the posting of a bond by the person applying to be guardian of the minor's estate is dispensed with pursuant to *N.J.S.A. 3B:15-16*.

6. Monies may be withdrawn from said account only upon further order of the Superior Court of New Jersey, Chancery Division, Probate Part, pursuant to *N.J.S.A. 3B:15-17*, or upon the minor attaining majority pursuant to *N.J.S.A. 3B:15-17.1*.

7. The Guardians have previously qualified, and the deposit is to be added to the funds already being held on behalf of the minor, D [REDACTED] D [REDACTED].

8. The guardian of the minor's estate is not authorized to receive any additional funds or property on behalf of the minor, except upon application to the Superior Court, Chancery Division, Probate Part, where the terms or conditions for the receipt of additional funds or property may be fixed. Pursuant to *N.J.S.A. 3B:12-37*, said limitation shall be stated in the Letter of Guardianship certificates hereinafter issued by the Surrogate.

9. Having previously qualified, the Surrogate of Somerset County has issued Letters of Guardianship for D [REDACTED] O [REDACTED] a minor, and thereupon said person appointed guardian be and hereby is authorized to perform all the duties and responsibilities of a guardian as allowed by law, except as limited herein.

10. The attorney for the plaintiff shall deliver a copy of this Judgment to all parties and the Surrogate of Somerset County within 7 days of the date hereof.

/s/Robert A. Ballard, Jr., P.J. Cv.
J.S.C.